

we look back into the past of everybody who serves here, what we might find.

But I am here to tell you, to listen to the Senator from Wyoming stand up and say: We are going to hold every Democrat accountable—you are damn right. Hold me accountable for Tracy Stone-Manning. I worked with her. I know what she does. I know she can get the job done. She can bring people together of all political ilk, and she can do what is necessary for the American people—in this case, with our public lands.

I am going to point out one thing that Tracy Stone-Manning did that was wrong. She actually agreed to be Governor Bullock's chief of staff. If somebody wants to go into the investigation and find out what has happened over the last 3 years with the Governor running against a sitting Senator in this body and her being the Governor's chief of staff, you will find out why folks stand up and make stuff up about Tracy Stone-Manning because the facts don't back up what they are saying.

Yes. Listen to it again. If you are out there, the folks who have come to the floor on the Republican side of the aisle and bashed Tracy Stone-Manning—the facts don't back up what the claims are, and the character assassination is not something you should be proud of. Ye who throws stones ought to be very, very careful.

With that, I want to say this: Tracy Stone-Manning is not new to this process. She has been a leader. She is somebody who knows how to bring people together. She is somebody who has utilized our public lands. She is somebody who knows how valuable these public lands are. She is somebody who will do a great job as the head of the BLM.

I encourage any of the Senators on the other side of the aisle to take up any other claims with me, not her. I would love to answer them.

I encourage this body to vote for the confirmation of Tracy Stone-Manning because it is the right thing to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### NOMINATION OF ROHIT CHOPRA

Mr. TOOMEY. Madam President, I rise to oppose the nomination of FTC Commissioner Rohit Chopra to be the CFPB Director.

In the Banking Committee, every Republican voted against him, and on the Senate floor, Republicans have uniformly voted against discharging his nomination from the committee. There is a reason for that. I think my colleagues have the same grave concern that I have that Commissioner Chopra would return the CFPB to the lawless, overreaching, highly politicized Agency that it was during the Obama administration when he was there.

CFPB, as you will recall, was created by our Democratic colleagues through

the Dodd-Frank Act, and it was arguably the most unaccountable Agency in the history of the U.S. Federal Government. Think about it. It is an Agency with a single Director who, until recently, even the President of the United States was unconstitutionally forbidden from firing.

This Agency is not accountable to Congress through the appropriations process the way most Agencies are. Most rely on appropriations from Congress for their funding. That is part of our power of the purse strings. Not with the CFPB. It simply draws virtually unlimited funding at its discretion from the Federal Reserve, whether Congress likes it or not.

Now, during the Obama administration, the CFPB systematically pursued an activist, anti-business agenda. It limited consumer choice, it drove up the cost of credit for consumers, and it certainly unfairly burdened employers with overregulation.

CFPB repeatedly engaged in overreach and abuse of its authority. Just one example: Instead of clearly laying out the rules of the road through a transparent regulatory process, it would invent rules on its own by springing lawsuits on the financial institutions that had no way of knowing that they were engaged in anything that the CFPB objected to because there was no rule. It was just rule-making by enforcement. The DC Circuit Court of Appeals, quite rightly, held that this approach violates the fundamental bedrock principle of due process.

But that is not all. Commissioner Chopra helped set up the CFPB, and then he served as a very high-ranking official there during the Obama administration. In that role, it has been widely acknowledged that he had a hostile relationship with lenders. He used "name and shame" tactics to pressure them. In one case, he took the "shoot first; aim second" approach to the facts by posting online inaccurate allegations about credit unions, which the CFPB then later had to retract.

At the FTC, Commissioner Chopra has continued his aggressive anti-business stances, and he has continued to take a "shoot first; aim later" approach to the facts in order to advance his agenda. In one recent case, three of his fellow Commissioners publicly rebuked Commissioner Chopra for "his disregard of the facts and the law, for making misleading claims, and for relying on false assertions."

During this whole nomination process, while Commissioner Chopra is under consideration to lead the CFPB, he has done very little to alleviate these concerns.

I asked him a request for the record. Given its history, given the actions that have been overturned by courts, was there a single CFPB enforcement action that Mr. Chopra believed was too burdensome or was too punitive? He couldn't identify a single one.

In addition, Commissioner Chopra favors unaccountable regulators with vast powers. He actually in writing proposed this superagency that would regulate politicians and think tanks and nonprofits. At his nomination hearing, Commissioner Chopra once again defended the CFPB's completely unaccountable structure.

All this raises concerns about how he would wield power at the CFPB. Remember, at the CFPB, he would not be accountable to Congress in any meaningful way, certainly not through the appropriations process, and since the CFPB is a single Director Agency, there would be no other Commissioners to restrain him.

Commissioner Chopra has also shown a complete disregard already for congressional oversight. According to multiple press reports, the Biden administration's political leadership at the CFPB has been taking unusual and possibly unlawful actions to push out top-level career, nonpolitical civil servants at the CFPB in order to fill those civil service positions with handpicked activists who will support the Biden agenda. Now, the implication has been that this was done in preparation for Commissioner Chopra taking over as the Director.

These were just allegations, but there were several of them. There was some credibility to them. So I sent Commissioner Chopra a letter simply asking in a straightforward way whether he was aware of or whether he had been involved in any efforts to dismiss these career civil servants at the CFPB. It has been over 100 days since I asked him these simple, straightforward questions, and he has refused to provide any response to me.

His refusal to respond to my oversight requests—I am the ranking member of the committee that has jurisdiction over the organization he is meant to lead. This refusal to respond to a simple oversight request is completely unacceptable from a nominee, and it leaves very little doubt how he will treat congressional oversight if he is confirmed.

As all of the Republicans on the Banking Committee have stated, "In our view, this should disqualify [him] from consideration as CFPB Director."

It is clear to me that Commissioner Chopra would very likely return the CFPB to the rogue, unaccountable, anti-business Agency it was during the Obama administration. We have every reason to believe he would continue to disregard legitimate congressional oversight requests.

I urge my colleagues to join me in voting against his confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I come to the floor for the opposite reason. I am thrilled to rise to urge my

colleagues to support Rohit Chopra to serve as the next Director of the Consumer Financial Protection Bureau.

I have seen the good work they used to do. They used to have an Ohio Director. The first Director there was Richard Cordray, a friend of mine, somebody who stood up for consumers pretty much every day of his work life.

Rohit Chopra will become the CFPB Director at a time when far too many Americans feel that the system is rigged against them. You hear reports about billionaires not paying taxes. You hear these reports about record profits on Wall Street. You see the influence. Just check down the hall. Look down the hall. You can see the influence in the minority leader's office, Senator MCCONNELL. Lobbyists are going in and out, always getting their way. When a Republican freight train goes down the railbed full of tax cuts, you know it never stops. It is always about helping those in charge get wealthier.

As the CFPB Director, Rohit Chopra will be here when people feel like no matter how hard they work, they don't get a fair shot in this country. His job will be on the side of the public. His job will be on the side of the workers.

I know the Presiding Officer sees this job as I do—as putting workers at the center of our country, at the center of our economy, at the center of our work here. The Senator from Georgia sees the country in the same way: putting workers at the center of our agenda. That has not happened until we had this new President. Now, with Rohit Chopra, we have the chance to turn this around.

The public has watched the largest corporations amass enormous power and use it to gain access and influence in this town to write the rules in their favor. Again, I won't open the door to show you again, but if you look down that hall, you will see the people going in and out of the Republican leader's office. They are always gaining access, always gaining influence, always writing the rules in their favor.

So it is not surprising that most people don't believe there is anyone on their side, fighting for them in the Federal Government, but we know that is not true. That is why I know Rohit Chopra will prove them wrong, and he will fight for all of those who feel like they have been left on their own.

Even before the pandemic, hard work wasn't paying off. We all know that productivity has gone up in this country in the last many years; we know executive compensation has skyrocketed; and we know the stock market has gone up. But do you know what we also know and what people feel every day? They feel like their wages have been stagnant. They feel like they are working harder and harder in Savannah or in Columbus, GA, or in Cincinnati or Columbus, OH. They know they are working harder and harder every day, and they are simply not getting ahead. They feel that they have been left on their own.

Productivity is up, and wages have stagnated. Meanwhile, we know the cost of housing, the cost of childcare, the cost of higher ed, the cost of prescription drugs—they all go up—and 40 percent of Americans aren't able to come up with \$400 in an emergency. Before the pandemic, one-quarter of renters paid more than half their income in rent. You know what happens there. If you are paying half your income in rent and your car breaks down or your daughter gets sick or you miss a couple days of work from a workplace injury, your life changes. It goes upside down, and you can get evicted.

Then the coronavirus hit, and millions of workers who were one emergency away from draining their savings turned to a payday lender as they faced emergencies all at once. Millions of homeowners now have fallen behind in their mortgages and are at risk of foreclosure—one in six Latino homeowners, one in five African-American homeowners.

Through it all, we have seen COVID-related scams emerge—scams that use a global pandemic as a means to cheat their fellow Americans. I mean, there is always somebody out there. Most of us aren't that way. Most of us in the Senate and most of us in this country aren't that way, but there is always somebody out there who will scam their fellow Americans. As a result, half a million Americans—that is a lot of people—reached out to the CFPB last year, seeking help. That is 54 percent more than in 2019. Record numbers of consumers complained about errors in their credit reports or harassment by debt collectors. Those Americans need someone willing to stand up to the biggest banks and to stand up to the most powerful corporations and fight for them.

Rohit Chopra has the expertise and the track record to do that, and he will be America's voice and America's advocate. He has a deep understanding of financial markets, a strong record of protecting consumers and workers and small businesses, promoting competitive markets, and holding bad actors accountable.

In 2018, this body, this Senate, voted unanimously—unanimously—that is all of us—to confirm Rohit Chopra as an FTC Commissioner. They voted unanimously. In the Banking, Housing, and Urban Affairs Committee—it used to be just called the Banking Committee because it was all about Wall Street; now the word “Housing” is in capital letters in that committee. In that committee a few weeks ago, all 12 Republicans voted against Rohit Chopra. Everybody here voted to confirm him when he was to go to the FTC. I don't know if any Republicans in this body are going to vote for him now. It is really kind of shocking as he has worked with Members of both parties on a wide array of issues that are important to American consumers.

As Commissioner, he worked with Democratic and Republican State at-

torneys general to protect American small businesses and consumers from foreign goods that were flooding the market with fake “Made in the USA” labels.

I worked on this issue a lot. My colleague Senator PORTMAN from Ohio—he and I worked together to strengthen, in the bipartisan infrastructure bill, the “Buy American” provisions—stronger than they have ever been—so that we won't see a project like the Bay Bridge in California, Northern California, made entirely with steel produced by Chinese companies—all part of the Chinese Communist Party. We are not going to see that again. We are going to see what “Made in the USA” means.

Mr. Chopra's job, in part—something that his predecessor didn't do—will enforce “Made in the USA.” If a company puts “Made in the USA” on a label, they should hear from the government. You just can't commit that kind of fraud. In my State, Ohioans look for “Made in the USA” because they want their dollars to support our economy. They know it also means a quality product, and it means made by American workers.

He has led the FTC's recent crack-down on Big Tech. Americans across the political spectrum were concerned about these huge tech corporations that seemed to get bigger and bigger and to control more and more of their lives.

Mr. Chopra authorized the Agency's current lawsuit against Facebook. This is what he did in the last job he was in when he got unanimous support in this body for confirmation.

He stood up for Amazon drivers when the company stole more than \$60 million. Imagine Amazon, as maybe the most successful corporation—certainly, one of the largest corporations in the world—stole \$60 million of tips of workers making \$9, \$10, \$11, \$12 an hour, and they are not getting away with it. I mean, maybe they got away with it before, but they didn't get away with it because Rohit Chopra was there.

Banks aren't going to get away with that kind of stuff. Payday lenders won't get away with that kind of stuff. All kinds of people who try to defraud American consumers—they are not going to get away with this because Rohit Chopra is going to be the cop on the beat.

During his prior time, when he worked with Richard Cordray at the CFPB, he served as the Agency's first student loan ombudsman. He looked out for students in the \$1.7 trillion student loan market—\$1.7 trillion. That is 1.7 thousand billion, this \$1.7 trillion student loan market. He worked with State attorneys general of both parties to bring enforcement actions against scammers who preyed on students who were drowning in student loan debt.

I see the pages on both sides, sitting here on the steps. Many of them are going to school in the next couple of years or are going to college. Many of them will take student loans. Many of

them may be preyed on by some of these scammers. I am guessing every one of these pages here, whether they are Republicans or Democrats, whether sponsored by CHUCK SCHUMER or MITCH MCCONNELL or me or ROB PORTMAN—I am guessing every one of you would vote for the confirmation if you could vote. Sorry. You are not even old enough to vote yet, but if you could, you would vote for Rohit Chopra because he is going to protect you. He is going to protect you when people try to scam you and your student loans.

His commitment to protecting servicemembers has been particularly important. He uncovered a predatory lending scheme. He was able to return more than \$60 million to them and their families. Think about that. People are trying to scam our servicemembers. The wife is away, serving our country, and the husband is home and they try to scam the husband, the husband who worries about his wife every day overseas—these predatory lenders and others. That is why you need Rohit Chopra there to protect them.

He has earned the endorsement of a bipartisan group of State attorneys general. He is supported by a broad coalition of 150 consumer groups, civil rights groups, labor groups, public interest groups, and small business organizations. They know, like I do, that, with Mr. Chopra leading the CFPB, Americans can be confident they will have someone looking out for them. Corporations, big banks, payday lenders—they all have high-priced lobbyists. You see them going in and out of Senator MCCONNELL's office. We know that. They have an outsized voice in this town. Most people don't have lobbyists.

I just introduced a bill to help those on SSI. They are the lowest income people, averaging \$500 a month in income. They didn't have a voice. They hadn't been heard from in 20 years until Congress did it. It is the same with people that Rohit Chopra will be paid to protect: They don't have lobbyists. They don't have a PAC. They certainly don't have a super PAC. They are not able to unleash tens of millions of dollars of dark money to win elections. They don't have an expensive lawyer they can get on the phone with a bank or a credit card company if something goes wrong.

That is why we created the CFPB—to fight for them, to be a voice for ordinary people—and, soon, Americans will have Rohit Chopra on their side.

If you were scammed by a payday lender, if you were overcharged by a bank, if you took an unfair hit on your credit report, it doesn't matter whom you voted for or what State. It doesn't matter who your Senate sponsor is. If you are a page, it doesn't matter whom you voted for. It doesn't matter what State you live in. You need help. You want someone on your side, and Rohit Chopra will be on your side. He will stand up. He will be your advocate.

That is why, as chair of the Banking, Housing, and Urban Affairs Committee,

I enthusiastically support Mr. Chopra's nomination to serve as the next Director of the Consumer Financial Protection Bureau. I urge all of my colleagues to support him.

The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent that all remaining postcloture time be considered expired. The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### VOTE ON CHOPRA NOMINATION

The question is, Will the Senate advise and consent to the Chopra nomination?

Mr. BROWN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN) and the Senator from Kentucky (Mr. PAUL).

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 399 Ex.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—48

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Murkowski	Young

#### NOT VOTING—2

Cornyn Paul

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 293, Tracy Stone-Manning, of Montana, to be Director of the Bureau of Land Management.

Charles E. Schumer, Tim Kaine, Tammy Baldwin, Cory A. Booker, Sherrod Brown, Patrick J. Leahy, Sheldon Whitehouse, Christopher Murphy, Gary C. Peters, Michael F. Bennet, Robert P. Casey, Jr., Benjamin L. Cardin, Patty Murray, Catherine Cortez Masto, Tammy Duckworth, Robert Menendez, Bernard Sanders, Mark R. Warner, Richard J. Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Tracy Stone-Manning, of Montana, to be Director of the Bureau of Land Management, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN) and the Senator from Kentucky (Mr. PAUL).

The yeas and nays resulted—yeas 50, nays 48, as follows:

[Rollcall Vote No. 400 Ex.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—48

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Murkowski	Young

#### NOT VOTING—2

Cornyn Paul

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 48.

The motion was agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Tracy Stone-Manning, of Montana, to